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FILED

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New Jersey Board of Nursing

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

ADMINISTRATIVE ACTION

PAULA MELBOURN, R.N.
LICENSE NO. 26NO07051800

CONSENT ORDER

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

The New Jersey State Board of Nursing is charged with the duty and responsibility of regulating the practice of nursing in the State of New Jersey pursuant to the Nurse Practice Act, N.J.S.A. 45:11-1 et seq. and regulations set forth in N.J.A.C. 13:37-14.1 et seq.

Pursuant to N.J.S.A. 45:11-23, all homemaker-home health aides ("CHHA") are required to be certified by the Board as they are performing nursing tasks delegated by a licensed registered professional nurse. N.J.A.C. 13:37-6.2 requires that the registered professional nurse shall be responsible for exercising that degree of judgment and knowledge reasonably expected to assure that a proper delegation has been made including that a registered professional nurse may not delegate the performance of a nursing task to persons who have not been adequately

prepared by verifiable training and education.

Paula Melbourn ("Respondent") holds New Jersey license 26NO07051800 as a Registered Nurse with the Board. Respondent is employed by Open Arms Health, LLC ("Open Arms") in Whitehouse, New Jersey as a Registered Nurse. Beginning with Open Arms' renewal Board registration in 2009, and every subsequent year thereafter until her resignation in June 2012, Respondent was identified by Open Arms as Nursing Supervisor.

Through its investigation, the Board has determined that while serving as Open Arms' Nursing Supervisor, Respondent engaged in multiple violations of N.J.S.A. 45:11-23 and N.J.A.C. 13:37-6.2 and N.J.A.C. 13:37-14.3 by failing to complete assessments on all clients; failing to involve herself in the assignment of aides to clients; failing to confirm and document that the care provided did not exceed the scope of the delegated tasks and procedures; and/or that the delegated tasks were performed in a satisfactory manner.

Given the above, the Board finds that Respondent engaged in multiple acts of professional misconduct pursuant to N.J.S.A. 45:1-21(e) and/or has violated the statutes and/or regulations governing the practice of nursing pursuant to N.J.S.A. 45:1-21(h).

The parties being desirous of resolving this matter, and the Board, being satisfied that entry of the within Order obviates the need for formal proceedings, and being further satisfied that the within disposition is adequately protective of the public health, safety and welfare, and for good cause shown

IT IS, therefore, ON THIS 11th day of April, 2013, ORDERED and AGREED that:

1. Respondent is hereby reprimanded for professional misconduct and violating the statutes and/or regulations governing the practice of nursing.

2. Respondent is assessed an aggregate civil penalty of \$3,500 pursuant to N.J.S.A. 45:1-25 for the violations described herein. The fine shall be payable within 20 days of execution of this Order. Payment is to be forwarded to the attention of George Hebert, Executive Director of the Board of Nursing, 124 Halsey Street, 6th Floor, P.O. Box 45010, Newark, NJ 07101.

3. Respondent shall reimburse the Board's investigative costs and fees totaling \$12,640.18 pursuant to N.J.S.A. 45:1-25(d). The payment of said costs and fees shall be suspended provided that Respondent complies with the terms of this Consent Order and the rules and regulations governing the practice of nursing in the State of New Jersey.

4. The Board shall retain jurisdiction to enforce the terms of this Order. Upon receipt of any reliable information indicating that Respondent has violated any term of this Order, the Board reserves the right to bring further disciplinary action.

5. Respondent has been specifically advised that she has a right to retain an attorney in this matter as the entry of this Order effects her legal rights. Respondent has voluntarily chosen to enter into this Order without the advice of counsel.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy, PhD, APN, FAAN
Patricia Murphy, PhD, APN, FAAN,
President

I have read and understood
the within Order and agree to
be bound by its terms.

Paula Melbourn RN
Paula Melbourn, R.N.